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August 8, 2022

Hon. Valerie E. Caproni  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York NY 10007USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 08/17/2022**MEMO ENDORSED**Re: CFTC v. Alexandre and EminiFX, Inc., No. 22 Civ. 3822 (VEC)  
Emergency Request to Reconsider the Approval for Payment of Fees and Expenses – May/June  
2022

Dear Honorable Caproni,

My name is Gervedy Boyer and I am an investor in the EminiFX club, whose funds are included in the estates. I am University student  
I am originally from Haiti and I live in Orlando with my family.

On August 4, 2022, the Receiver for the EminiFX Estate, David A. Castleman, submitted a request for Payment of Fees and Expenses for the period covering the month of May and June for the total amount of \$996,290.66 from the EminiFX Estates funds. My letter is to oppose the foregoing request by the receiver and to request that you reconsider the order to approve it on August 5, 2022. I find the expenses and fees of about \$1 million to be exorbitant for 2 reasons: 1) The general description of works mentioned do not commensurate with the fees and 2) The value preservation of the estate or lack thereof resulting from the work of the receivership does not justify the undue financial burdens the receivership seeks to impose on the Estates unfairly. As a stakeholder funds, although the receiver reports to you as the Judge, I stand to incur great financial losses which may be irreversible if the receiver has blanket powers to deplete any portion or all of the funds without a chance to review the accuracy of the fees and expenses request for the sake of check and balance.

I am requesting that you reconsider the approval of the request and grant me 14 days to produce cause for my opposition to the request made by the receiver for the following reasons:

1. To allow sufficient time to review the expense request as it was filed on August 4 and became available on the docket on August 5, which is a Friday and before the weekend. It was therefore unfeasible for me as a stakeholder to be afforded sufficient time to submit my opposition to this foregoing request in time.
2. Due to technicality involved, I would like to have a chance to review the expenses with a qualified attorney and if necessary financial professionals in order to make the necessary assessment.

In addition to the reasons mentioned above, I would like to point out that the receiver has no effective two-way communication line, whereas no dedicated email, phone or in-person medium have been established for the members of EminiFX with the receiver, outside a website that only contains the same docket data from the public domain. This situation creates an opaque operation controlled solely by the receiver that renders it difficult, if not impossible, for the members of EminiFX and primary stakeholders in the EminiFX Estate, who are estimated to be 62,000 to even get in touch with the receiver to inquire about the works he is doing for the funds, to which we are beneficiaries.

Wherefore, I, Gervedy Boyer, come before you to pray on the court to grant my request to reconsider your approval of the foregoing expense request submitted by the receiver and to grant me 14 days, to allow me sufficient time to review the receiver's request with proper legal assistance and show cause.

Respectfully,

Your Name: Gervedy Boyer

Pursuant to the Court's August 12, 2022, Order, Dkt. 106, the Clerk of Court is respectfully directed to strike the pro se requests for reconsideration from the docket at docket entries 93, 105, and 108–146. The Pro Se Department is respectfully directed to refrain from docketing any further form letters from pro se nonparties seeking reconsideration of the Court's order granting the Receiver's request for fees without approval from Chambers.

SO ORDERED.

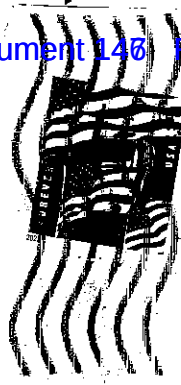
 08/17/2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE

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